

REMARKS

This Submission replies to the substance of the Office Action dated October 4, 2005. Claims 1, 11, 14, 21 and 29 have been amended. Claims 35 and 36 are newly added. Claims 1, 4-14, and 16-36 remain pending in this case. Claims 1, 4-14, and 16-34 were rejected under 35 U.S.C. § 102(b). Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1, 4-14, and 16-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,920,846 ("Storch"). Claims 1, 11, 14, 21 and 29 have been amended and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended claim 1 recites a method for communicating with a technician at a customer service location in a telecommunications system comprising, *inter alia*, "verifying whether the request for access is a first occurrence of access within a time period" and "determining if the electronic message has been modified since a past request for access to the message."

Amended claim 11 recites a system for communicating with a technician at a customer service location in a telecommunications system comprising, *inter alia*, a technician server configured for receiving a first generated electronic message, sending the first generated message to an access device, receiving a second generated electronic message and sending the second generated electronic message to the access device if the second generated electronic message is a modified version of the first generated electronic message that was previously sent to the access device.

Amended claim 14 recites a computer-readable medium containing instructions for assisting a computer system to perform a method for communicating with a technician at a customer service location in a telecommunications system comprising, *inter alia*, verifying whether the request for access is a first occurrence of access within a time period.

Amended claim 21 recites a system for communicating with a technician at a customer service location in a telecommunications system comprising, *inter alia*, means for verifying whether the request for access is a first occurrence of access within a time period.

Amended claim 29 recites a method for communicating with a technician at a customer service location in a telecommunications system comprising, *inter alia*, receiving a first electronic message if access occurs for a first time within a predetermined time period and receiving a second electronic message if the second electronic message is a modified version of the first electronic message.

In contrast, *Storch* at least does not disclose the aforementioned recitations. For example, *Storch* discloses a WFA/DO 270 capable of selecting an available outside technician 244. (See *Storch* column 71, lines 27-40.) *Storch* also discloses that when the WFA/DO 270 determines the best job match for a technician, the WFA/DO transmits a copy of the service order to the technician via a technician access unit (TAU) 278 and system (TAS) 276. (See *Storch* column 71, lines 44-47.) When the technician 244 logs into the TAU 278 and requests a new job, the TAU 278 accesses a TAS 276, which, in turn, accesses WFA/DO 270 and requests a new job or information on an existing job. (See *Storch* column 72, lines 24-28.) WFA/DO 270 transmits a copy of the service

order to the TAU 278. (See *Storch* column 72, lines 28-29.) A copy of the service order appears on the screen of the TAU 278 for the selected technician 244. (See *Storch* column 72, lines 29-30.)

Storch does not anticipate the claimed invention because *Storch* at least does not disclose "verifying whether the request for access is a first occurrence of access within a time period" and "determining if the electronic message has been modified since a past request for access to the message", as recited by Claim 1. *Storch* fails to disclose such recitations, but instead merely includes a pre-defined time period delay that does not track the number of accesses. (See *Storch* column 56 line 62 through column 57 line 7 and FIG. 12.) Accordingly, independent claim 1 patentably distinguishes the present invention over the cited prior art, and Applicants respectfully request withdrawal of this rejection of Claim 1. Dependent Claims 4-10 are also allowable at least for the reasons described above regarding Independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 4-10.

Claims 14 and 21 include recitations similar to the recitation mentioned above with respect to Claim 1 and are patentably distinguishable from the cited prior art for the reasons mentioned above with respect to Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 14 and 21. Dependent Claims 16-20 are also allowable at least for the reasons described above regarding Independent Claim 14 and by virtue of their dependency upon independent Claim 14. Dependent Claims 22-28 are also allowable at least for the reasons described above regarding Independent Claim 21 and by virtue of their dependency upon independent Claim 21.

Storch does not anticipate the claimed invention because *Storch* at least does not disclose “a technician server configured for receiving a first generated electronic message, sending the first generated message to an access device, receiving a second generated electronic message and sending the second generated electronic message to the access device if the second generated electronic message is a modified version of the first generated electronic message that was previously sent to the access device”, as recited by Claim 11. *Storch* fails to mention determining if a message has been modified, much less disclose sending a second generated electronic message to an access device if the second generated electronic message is a modified version of a first generated electronic message. *Storch* merely transmits a copy of a service order to a technician upon a determination that the technician is free and qualified for a given task. Accordingly, independent claim 11 patentably distinguishes the present invention over the cited prior art, and Applicants respectfully request withdrawal of this rejection of Claim 11. Dependent Claims 12 and 13 are also allowable at least for the reasons described above regarding Independent Claim 11, and by virtue of their dependency upon independent Claim 11. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 12 and 13.

Claim 29 includes recitations similar to the recitations mentioned above with respect to Claim 11 and are patentably distinguishable from the cited prior art for the reasons mentioned above with respect to Claim 11. Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 29. Dependent Claims 30-34 are also allowable at least for the reasons described above regarding Independent Claim 29 and by virtue of their dependency upon independent Claim 29.

Claims 35 and 36 are newly added and depend from independent claim 1.

Accordingly, dependent Claims 35 and 36 are also allowable at least for the reasons described above regarding Independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request allowance of dependent Claims 35 and 36.

Conclusion

A request for a three-month extension of time is requested for the period of January 4, 2006 through April 4, 2006, and is submitted with this amendment.

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Respectfully submitted,

MERCHANT & GOULD, LLC



Devon K. Grant
Reg. No. 57,036

Date: April 3, 2006

MERCHANT & GOULD, LLC
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(404) 954-5100

39262
PATENT TRADEMARK OFFICE